

REMARKS

Claims 1, 2 and 4-20 are pending in the application. By this paper, it is proposed to amend claim 1. Entry of the proposed amendment is respectfully requested in order to place the application in condition for allowance or to narrow the issues for appeal. Reconsideration of claims 1, 2 and 4-20 in light of the amendments and arguments herein is respectfully requested.

Claim amendment

Claim 1 has been amended slightly to correct an informality noted during review the claims. No new matter is added by this amendment.

Claim rejections under 35 U.S.C. § 103

Claims 1, 2, 4-7 and 11-17 stand finally rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent number 6,839,400 to Bushey ("Bushey") in view of U.S. Patent Application Publication no. 2001/0054064 ("Kannan").

Independent claim 1

Reconsideration of the rejection of independent claim 1 is respectfully requested. A rejection under 35 U.S.C. § 103(a) may only be maintained if all limitations of the claim are disclosed or suggested by the applied references. MPEP § 2142. Bushey and Kannan, taken in combination, fail to disclose all the limitations of claim 1.

For example, Bushey and Kannan fail to disclose

if the channel is one of postal mail, electronic mail or facsimile connection,
transmitting an acknowledgement to the customer with an expected time
to reply;

In the discussion of the rejection at page 3 of the office action, no teaching of this limitation from either reference is alleged. None can be alleged because this limitation is missing from the cited references.

Moreover, neither Bushey nor Kannan, taken alone or in combination, discloses the following limitations of claim 1:

automatically calculating a customer value for the customer based on historical customer interaction information;
determining whether said customer value exceeds a predetermined threshold

The office action at page 4 refers to Bushey, column 9, lines 4-7 (calculation of a customer model) as disclosing calculation of a customer value and column 10, lines 35-37 as disclosing the recited threshold-comparison operation. However, Bushey actually discloses

A match processor 14 compares the *customer model*, representing aspects of the customer making the request, with all the *agent models*.... The customer model is matched and compared with each agent model, and a *match score* is generated for each agent based on the agent model associated with the agent.... The routing processor 16 receives the match scores of all the agents from match processor 14. The service center determines a threshold match value that agents must achieve regarding the requesting customer. Routing processor 16 generates a list of best matched agents that obtain match scores equal to or above the threshold level based on the comparison of the *customer model* with the *agent models*. (*emphasis added*)

Bushey, column 10, lines 14-34. Thus, Bushey teaches comparing a “customer model” with “agent models” to generate a match score. The match score is then compared with the threshold value. Even if Bushey’s “customer model” can be considered to correspond to the customer value of the invention defined by claim 1 (which is not conceded), the required determination of whether the customer value exceeds a predetermined threshold does not occur in the Bushey system. This limitation is not met by Kannan, either.

Accordingly, Bushey and Kannan, taken in combination fail to disclose all the limitations of claim 1, which is therefore submitted to be allowable. Claims 2 and 4-7 are dependent from claim 1 and are allowable for the same reasons. Withdrawal of the 35 U.S.C. § 103(a) rejection of claims 1, 2 and 4-7 is respectfully requested.

Independent claim 11

Independent claim 11 recites “automatically calculating a customer value” and “determining whether said customer value exceeds a predetermined threshold.” As discussed above in conjunction with claim 1, Bushey and Kannan, taken alone or in combination, fail to disclose this limitation. Accordingly, claim 11 is submitted to be allowable over these

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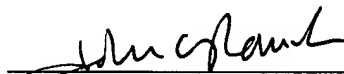
references. Claims 12-17 are dependent from claim 11 and are allowable for the same reasons. Withdrawal of the 35 U.S.C. § 103(a) rejection of claims 11-17 is respectfully requested.

Independent claims 8 and 18

Independent claims 8 and 18 recite "automatically calculating a customer value" and "determining whether said customer value exceeds a predetermined threshold." As noted, Bushey and Kannan fail to disclose this limitation. Sanders does not provide the missing teaching. Accordingly, claims 8 and 18 are submitted to be allowable over the combination of these references. Claims 9 and 10 are dependent from claim 8 and claims 19 and 20 are dependent from claim 18. Each of these dependent claims is allowable for the same reasons. Withdrawal of the 35 U.S.C. § 103(a) rejection of claims 8-10 and 18-20 is respectfully requested.

With this response, the application is believed to be in condition for allowance. Should the examiner deem a telephone conference to be of assistance in advancing the application to allowance, the examiner is invited to call the undersigned attorney at the telephone number below.

Respectfully submitted,



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